



AUGUSTA-RICHMOND COUNTY COMMISSION

STEPHEN E. SHEPARD

County Attorney
Augusta Law Department

STAFF ATTORNEYS
Vanessa Flournoy
Harry B. James, III

WM. "WILLIE" H. MAYS, III
Interim Mayor

Marion Williams
Mayor Pro Tem

Betty Beard
Marion Williams
Barbara Sims
Richard Colclough
Bobby G. Hankerson
Andy Cheek
Roy Rearden
Jimmy Smith
Don A. Grantham
Freddie Lee Handy

Frederick L. Russell
Administrator

December 6, 2005

Please Reply to:
701 Greene Street, Suite 104
Augusta, Georgia 30901

Mr. Bob Munger
HEERY
Augusta Capital Improvements Office
501 Greene Street, Suite 313
Augusta, Georgia 30901

RE: SPLOST V

Dear Bob:

Per your request, please find enclosed a copy of all final, executed legal documents regarding the recently passed SPLOST V referendum.

Yours very truly,

Stephen E. Shepard

SES:lmb
Enclosure

F:\Users\SShepard\STEVE\CITY\city.2005.doc

Augusta Law Department
501 Greene Street, Suite 302, Augusta, Georgia 30901
(706) 842-5550 - Fax (706) 842-5556

County Attorney
701 Greene Street, Suite 104, Augusta, Georgia 30901
(706) 724-6597 - Fax (706) 722-4817

Revised August 19, 2005

August 31, 2005

SPLOST V

RESOLUTION

A RESOLUTION OF THE AUGUSTA-RICHMOND COUNTY COMMISSION, ALSO KNOWN AS THE AUGUSTA COMMISSION, THE GOVERNING AUTHORITY OF AUGUSTA, GEORGIA, ALSO KNOWN AS AUGUSTA-RICHMOND COUNTY, GEORGIA, A POLITICAL SUBDIVISION OF THE STATE OF GEORGIA, BEING A CONSOLIDATED COUNTY AND MUNICIPAL GOVERNMENT, TO REGULATE AND PROVIDE FOR THE CALLING OF AN ELECTION TO DETERMINE THE QUESTION OF RE-IMPOSITION EFFECTIVE APRIL 1, 2006 OF A SPECIAL DISTRICT TAX IN A SPECIAL DISTRICT CORRESPONDING TO AND CO-TERMINUS WITH THE LIMITS OF RICHMOND COUNTY, GEORGIA AS A ONE PERCENT (1%) SALES AND USE TAX WITHIN SAID SPECIAL TAX DISTRICT; TO PROVIDE FOR THE MAXIMUM AMOUNT OF NET REVENUE THAT IS TO BE RAISED BY SAID TAX, TO WIT: \$160,000,000; AND IF SO AUTHORIZED TO ~~DESIGNATE THE PURPOSES FOR WHICH THE PROCEEDS RECEIVED FROM~~ SUCH TAX SHALL BE USED, TO WIT: CAPITAL OUTLAY PROJECTS FOR PUBLIC FACILITIES FOR THE USE AND BENEFIT OF THE CITIZENS OF THE ENTIRE COUNTY CONSISTING OF A COUNTY COURTHOUSE/JUDICIAL CENTER, ADMINISTRATIVE BUILDINGS, COUNTY LIBRARY AND COUNTY JAIL, WHICH SHALL INCLUDE NEW CONSTRUCTION AND IMPROVEMENTS TO EXISTING COUNTY BUILDINGS AND FACILITIES AND APPURTENANT CAPITAL OUTLAYS AS IS DEFINED IN O.C.G.A. 48-8-110; CAPITAL OUTLAY PROJECTS FOR INFRASTRUCTURE AND EQUIPMENT FOR PUBLIC WORKS, TO INCLUDE ROAD, STREET, AND BRIDGE IMPROVEMENTS FOR THE USE OF OR BENEFIT OF THE CITIZENS OF RICHMOND COUNTY TO BE OWNED OR OPERATED OR BOTH BY AUGUSTA, GEORGIA; CAPITAL OUTLAY PROJECTS TO IMPROVE THE QUALITY OF LIFE IN AUGUSTA-RICHMOND COUNTY CONSISTING OF RECREATIONAL, CULTURAL AND HISTORIC FACILITIES; AND CAPITAL OUTLAY PROJECTS TO BE OWNED OR OPERATED OR BOTH EITHER BY AUGUSTA, GEORGIA, THE CITY OF HEPHZIBAH AND/OR THE CITY OF BLYTHE IN RESPECT TO WHICH AUGUSTA, GEORGIA HAS ON THE 6th DAY OF September, 2005 ENTERED INTO AN INTER-GOVERNMENTAL AGREEMENT AS AUTHORIZED IN ARTICLE IX, SECTION III, OF THE CONSTITUTION OF THE STATE OF GEORGIA FOR THE CONSTRUCTION OF ELIGIBLE EXPENDITURE PROJECTS AS THE SAME ARE SET FORTH IN SAID INTER-GOVERNMENTAL AGREEMENT; TO PROVIDE A BALLOT QUESTION THAT IF IMPOSITION OF THE TAX IS APPROVED BY THE VOTERS, SUCH VOTE SHALL ALSO CONSTITUTE APPROVAL OF THE ISSUANCE OF GENERAL OBLIGATION DEBT OF AUGUSTA, GEORGIA IN THE PRINCIPAL AMOUNT OF \$44,000,000 AND FOR THE PURPOSES SET FORTH IN THE BALLOT QUESTION; TO PROVIDE FOR THE SUBMISSION TO THE QUALIFIED VOTERS WITHIN RICHMOND COUNTY OF

SAID BALLOT QUESTION OF WHETHER OR NOT SUCH SPECIAL DISTRICT TAX SHALL BE IMPOSED FOR SUCH PURPOSES; TO APPROVE THE FORM OF THE QUESTION ON THE BALLOT TO BE USED IN SUCH ELECTION; TO PROVIDE FOR AN AUDIT OF SAID PROJECTS; TO PROVIDE FOR AN ANNUAL REPORT FOR THE PROJECTS AUTHORIZED BY THIS RESOLUTION AND FOR REPORTS ON ALL SPECIAL PURPOSE LOCAL OPTION SALES TAX PROJECTS PREVIOUSLY APPROVED BY THE AUGUSTA COMMISSION ON BEHALF OF AUGUSTA-RICHMOND COUNTY AND THE BOARD OF COMMISSIONERS OF RICHMOND COUNTY, GEORGIA ON BEHALF OF THE CITIZENS OF RICHMOND COUNTY, GEORGIA FOR ALL PREVIOUS PHASES OF THE SPECIAL PURPOSE LOCAL OPTION SALES TAX PROGRAM; TO PROVIDE FOR THE NOTICE OF SUCH ELECTION; AND FOR OTHER PURPOSES.

RECITALS

WHEREAS, the General Assembly of Georgia pursuant to the provisions of Title 48, Chapter 8, Article 3 of the Code of Georgia, O.C.G.A. 48-8-110, effective July 1, 2004 authorizes the governing authority of any county in the state to impose within the county a special district county one per cent (1%) sales and use tax to raise in conjunction with the issuance of general obligation debt under certain terms and conditions as provided in said statute and in this resolution; and

WHEREAS, pursuant to an act of the General Assembly of the State of Georgia (Ga. Laws 1995, page 3648), Richmond County, Georgia (the "County") has consolidated with the City Council of Augusta (the City of Augusta) and has formed a consolidated political entity which has succeeded to the powers of said municipality and said county; and

WHEREAS, pursuant to an act of the General Assembly of the State of Georgia (Ga. Laws 1997, page 4024), such consolidated political entity has been designated as "Augusta, Georgia" a body politic and corporate and a political subdivision of the State of Georgia having all of the governmental and corporate powers, duties and functions previously held by and invested in the City Council of Augusta, Georgia and the County, and such consolidated political entity is governed by the Augusta-Richmond County Commission (the "Augusta Commission"), and;

WHEREAS, the Augusta-Richmond County Commission has determined that there exists necessary and essential projects for:

A. Capital outlay projects for PUBLIC FACILITIES for the use and benefit of the citizens of the entire county consisting of a county courthouse/judicial center, administrative buildings, county library, county jail, exhibit hall, which shall include new construction and improvements to existing county buildings and facilities, and appurtenant capital outlays as is defined in O.C.G.A. 48-8-110, Augusta Canal bond repayment and debt service, as shown on Exhibit A which is attached hereto and incorporated herein by reference;

B. Capital outlay projects for PUBLIC INFRASTRUCTURE AND EQUIPMENT including, but not be limited to information technology equipment acquisition, flood land acquisition, road, street, bridge or drainage improvements for the use of or benefit of the citizens of Richmond County as set forth on a list which is attached hereto and incorporated herein by reference (Exhibit B);

C. Capital outlay projects TO IMPROVE THE QUALITY OF LIFE in Augusta-Richmond County consisting of recreational facilities as set forth on the list attached hereto as Exhibit C and incorporated herein by reference;

D. Capital outlay projects to be owned or operated by the City of Hephzibah in respect to which Hephzibah, the City of Blythe and Augusta, Georgia entered into an INTER-GOVERNMENTAL AGREEMENT on September 6, 2005, as authorized in Article IX, Section III, of the Constitution of the State of Georgia for the construction of eligible

expenditure projects as the same are set forth in said inter-governmental agreement, a copy of which is attached hereto as Exhibit D and incorporated herein by reference; and

E. Capital outlay projects to be owned or operated by the City of Blythe in respect to which Blythe, the city of Hephzibah and Augusta, Georgia entered into an INTER-GOVERNMENTAL AGREEMENT on September 6, 2005, as authorized in Article IX, Section III, of the Constitution of the State of Georgia for the construction of eligible expenditure projects as the same are set forth in said inter-governmental agreement, a copy of which is attached hereto as Exhibit D and incorporated herein by reference.

WHEREAS, the Augusta-Richmond County Commission has determined that substantial revenues would be generated within Richmond County from the revenue of such county special purpose one per cent (1%) sales and use tax; and

WHEREAS, the Augusta-Richmond County Commission has determined that the most feasible plan to finance the cost of the undertakings now contemplated for:

A. Capital outlay projects for PUBLIC FACILITIES for the use and benefit of the citizens of the entire county consisting of a county courthouse/judicial center, administrative buildings, county library, county jail, exhibit hall, which shall include new construction and improvements to existing county buildings and facilities, and appurtenant capital outlays as is defined in O.C.G.A. 48-8-110, Augusta Canal bond repayment and debt service, as shown on Exhibit A which is attached hereto and incorporated herein by reference;

B. Capital outlay projects for PUBLIC INFRASTRUCTURE AND EQUIPMENT including, but not be limited to information technology equipment acquisition, flood land acquisition, road, street, bridge or drainage improvements for the use of or benefit of the citizens of Richmond County as set forth on a list which is attached hereto and incorporated herein by reference (Exhibit B);

C. Capital outlay projects TO IMPROVE THE QUALITY OF LIFE in Augusta-Richmond County consisting of recreational facilities as set forth on the list attached hereto as Exhibit C and incorporated herein by reference;

D. Capital outlay projects to be owned or operated by the City of Hephzibah in respect to which Hephzibah, the City of Blythe and Augusta, Georgia entered into an INTER-GOVERNMENTAL AGREEMENT on September 6, 2005, as authorized in Article IX, Section III, of the Constitution of the State of Georgia for the construction of eligible expenditure projects as the same are set forth in said inter-governmental agreement, a copy of which is attached hereto as Exhibit D and incorporated herein by reference; and

E. Capital outlay projects to be owned or operated by the City of Blythe in respect to which Blythe, the city of Hephzibah and Augusta, Georgia entered into an INTER-GOVERNMENTAL AGREEMENT on September 6, 2005, as authorized in Article IX, Section III, of the Constitution of the State of Georgia for the construction of eligible

expenditure projects as the same are set forth in said inter-governmental agreement, a copy of which is attached hereto as Exhibit D and incorporated herein by reference; and

is by the imposition of this tax and the debt issued in conjunction herewith as authorized under Title 48, Chapter 8, Article 3 of the Code of Georgia; and

WHEREAS, pursuant to the authority given before-cited for the establishment of a special district county 1 percent sales and use tax it is necessary to submit to the qualified voters of the county for their determination the question of whether or not such special county 1 percent sales and use tax shall be imposed for the aforesaid purposes;

NOW THEREFORE BE IT RESOLVED by the Augusta-Richmond County Commission and it is hereby resolved by the authority of same, that subject to the referendum hereinafter referred to, a special district county 1 percent sales and use tax ("Tax") is authorized to be and the same is hereby imposed within Richmond County from April 1, 2006 and continuing thereafter until net revenues of \$160,000,000 as approved by the voters have been raised with the tax herein imposed terminating at the end of calendar quarter when said revenues are realized as provided in O.C.G.A. 48-8-12.

~~by the authority of the same~~ **BE IT FURTHER RESOLVED** by the authority aforesaid and is hereby resolved by authority of the same that the purposes for which the proceeds of the tax are to be used will include projects within the following categories:

A. Capital outlay projects for PUBLIC FACILITIES for the use and benefit of the citizens of the entire county consisting of a county courthouse/judicial center, administrative buildings, county library, county jail, exhibit hall, which shall include new construction and improvements to existing county buildings and facilities, and appurtenant capital outlays as is defined in O.C.G.A. 48-8-110, Augusta Canal bond repayment and debt service, as shown on Exhibit A which is attached hereto and incorporated herein by reference;

B. Capital outlay projects for PUBLIC INFRASTRUCTURE AND EQUIPMENT including, but not be limited to information technology equipment acquisition, flood land acquisition, road, street, bridge or drainage improvements for the use of or benefit of the citizens of Richmond County as set forth on a list which is attached hereto and incorporated herein by reference (Exhibit B);

C. Capital outlay projects TO IMPROVE THE QUALITY OF LIFE in Augusta-Richmond County consisting of recreational facilities as set forth on the list attached hereto as Exhibit C and incorporated herein by reference;

D. Capital outlay projects to be owned or operated by the City of Hephzibah in respect to which Hephzibah, the City of Blythe and Augusta, Georgia entered into an INTER-GOVERNMENTAL AGREEMENT on September 6, 2005, as authorized in Article IX, Section III, of the Constitution of the State of Georgia for the construction of eligible expenditure projects as the same are set forth in said inter-governmental agreement, a copy of which is attached hereto as Exhibit D and incorporated herein by reference; and

E. Capital outlay projects to be owned or operated by the City of Blythe in respect to which Blythe, the city of Hephzibah and Augusta, Georgia entered into an INTER-GOVERNMENTAL AGREEMENT on September 6, 2005, as authorized in Article IX, Section III, of the Constitution of the State of Georgia for the construction of eligible expenditure projects as the same are set forth in said inter-governmental agreement, a copy of which is attached hereto as Exhibit D and incorporated herein by reference.

The specific projects within the categories of purposes herein set forth in that capital project list adopted in final form by the Augusta-Richmond County Commission on September 2, 2005 and incorporated herein as Exhibits A, B and C. The total amount of proceeds of the tax to be spent on the projects in each of the categories of purposes as set forth above shall be in the total amount specified in each category. However use of tax proceeds to pay costs of projects may be shifted between projects as needs dictate and as the Augusta-Richmond County Commission in its discretion shall determine. If not all of the tax proceeds allocated to a particular category are expended for the completion of projects in that category, such surplus funds may be transferred for use on projects in one or more of the other categories as the Augusta-Richmond County Commission in its discretion shall determine. It is expressly provided, however, that the net proceeds of the Tax received in any year shall not be used for any capital purpose until all debt service requirements of the general obligation debt for that year have been first satisfied from the account in which the proceeds of the Tax are placed.

The projects are proposed to be built over that period of time commencing on April 1, 2006 and extending thereafter until the end of the calendar quarter in which net revenues of the tax equal \$160,000,000. Said net revenues may be used and applied by Augusta, Georgia to finance the projects set forth herein in cash and/or by general obligation debt issued in conjunction with this Phase V Special Purpose Local Option Sales Tax.

Conditions may change making a proposed project no longer feasible or increasing the cost thereof to an amount exceeding the funds available. In any such event the Augusta-Richmond County Commission may change the size, scope and/or site of such project to make the project one which is feasible and the costs of which are within the funds available, or eliminate the project and transfer the funds allocated to other projects within the same category of projects if funds are needed for the remaining projects within such category and if not to projects in one or more of the other categories.

Augusta-Richmond County shall cause an audit of said projects to be performed and an annual report made for the projects authorized by this resolution and for all projects previously approved by the Augusta Commission on behalf of Augusta-Richmond County and the Board of Commissioners of Richmond County, Georgia on behalf of the citizens of Richmond County, Georgia for all previous phases of the special purpose local option sales tax program.

Attached hereto and incorporated herein by reference as Exhibit D is the Intergovernmental Agreement of Augusta, Hephzibah, and Blythe which identifies said capital outlay projects which are authorized by this Resolution and applicable law.

BE IT FURTHER RESOLVED by the authority aforesaid and is hereby resolved by authority of the same that the ballot to be used in said election shall have written or printed thereon substantially the following question with respect to the approval of the special purpose 1 percent sales and use tax:

BALLOT QUESTION

- () YES Shall a special 1 percent sales and use tax be imposed in the special district of Richmond County for the raising of not more than \$160,000,000 for the purpose of constructing under authority of a certain Resolution of the Augusta Commission adopted September 6, 2005 the following: (a) Capital outlay projects for PUBLIC FACILITIES for the use and benefit of the citizens of the entire county consisting of a county courthouse/judicial center, administrative buildings, county library, county jail, exhibit hall, which shall include new construction and improvements to existing county buildings and facilities, and appurtenant capital outlays as is defined in O.C.G.A. 48-8-110, Augusta Canal bond repayment and debt service; (b) Capital outlay projects for PUBLIC INFRASTRUCTURE AND EQUIPMENT including, but not be limited to information technology equipment acquisition, flood land acquisition, road, street, bridge or ~~drainage~~ improvements for the use of or benefit of the citizens of Richmond County; (c) Capital outlay projects TO IMPROVE THE QUALITY OF LIFE in Augusta-Richmond County consisting of recreational facilities; (d) Capital outlay projects to be owned or operated by the City of Hephzibah in respect to which Hephzibah, the City of Blythe and Augusta, Georgia entered into an INTER-GOVERNMENTAL AGREEMENT on September 6, 2005, as authorized in Article IX, Section III, of the Constitution of the State of Georgia for the construction of eligible expenditure projects as the same are set forth in said inter-governmental agreement; and (e) Capital outlay projects to be owned or operated by the City of Blythe in respect to which Blythe, the city of Hephzibah and Augusta, Georgia entered into an INTER-GOVERNMENTAL AGREEMENT on September 6, 2005, as authorized in Article IX, Section III, of the Constitution of the State of Georgia for the construction of eligible expenditure projects as the same are set forth in said inter-governmental agreement; and if imposition of the tax is approved by the voters, such vote shall also constitute approval of the issuance of general obligation debt of Augusta-Richmond County in the principal amount of \$44,000,000 for public facilities?

Voters desiring to vote for the imposition of the special 1 percent sales and use tax (the "Tax") for the purposes set forth in said Ballot Question shall do so by voting "YES" and voters desiring to vote against the imposition of the Tax for the purposes set forth in said Ballot Question shall do so by voting "NO". If the voters approve the imposition of the Tax in accordance with this paragraph, then the Tax shall be imposed for the purposes stated in the questions(s) so approved beginning April 1, 2006. Otherwise, the Tax shall not be imposed and

the question of imposing the Tax will not again be submitted to the voters of Richmond County, Georgia until after 12 months immediately following the month in which the election is to be held.

The purposes for which the proceeds of the Tax are to be used will include the acquisition, construction and equipping of the following:

A. Capital outlay projects for PUBLIC FACILITIES for the use and benefit of the citizens of the entire county consisting of a county courthouse/judicial center, administrative buildings, county library, county jail, exhibit hall, which shall include new construction and improvements to existing county buildings and facilities, and appurtenant capital outlays as is defined in O.C.G.A. 48-8-110, Augusta Canal bond repayment and debt service;

B. Capital outlay projects for PUBLIC INFRASTRUCTURE AND EQUIPMENT including, but not be limited to information technology equipment acquisition, flood land acquisition, road, street, bridge or drainage improvements for the use of or benefit of the citizens of Richmond County;

C. Capital outlay projects TO IMPROVE THE QUALITY OF LIFE in Augusta-Richmond County consisting of recreational facilities;

D. Capital outlay projects to be owned or operated by the City of Hephzibah in respect to which Hephzibah, the City of Blythe and Augusta, Georgia entered into an INTER-GOVERNMENTAL AGREEMENT on September 6, 2005, as authorized in Article IX, Section III, of the Constitution of the State of Georgia for the construction of eligible expenditure projects as the same are set forth in said inter-governmental agreement; and

E. Capital outlay projects to be owned or operated by the City of Blythe in respect to which Blythe, the city of Hephzibah and Augusta, Georgia entered into an INTER-GOVERNMENTAL AGREEMENT on September 6, 2005, as authorized in Article IX, Section III, of the Constitution of the State of Georgia for the construction of eligible expenditure projects as the same are set forth in said inter-governmental agreement.

If the qualified voters of Augusta, Georgia approve said BALLOT QUESTION such vote shall constitute approval of the issuance of general obligation debt of Augusta-Richmond County in the principal amount of \$44,000,000 for the purposes set forth in the BALLOT QUESTION.

Such debt, if authorized, shall be dated not later than the issuance and delivery thereof, bearing interest from date at a rate or rates not exceeding four percent (4.00%) per annum, and the principal maturing in the following years in an amount not to exceed the amounts set forth in the following table:

| <u>YEAR</u> | <u>AMOUNT</u> |
|-------------|----------------|
| 2007 | \$8,125,000.00 |
| 2008 | \$8,450,000.00 |
| 2009 | \$8,785,000.00 |
| 2010 | \$9,135,000.00 |
| 2011 | \$9,505,000.00 |

The Augusta-Richmond County Commission hereby determines that the proceeds of the collections of the special one percent (1%) sales and use tax in each year will be sufficient to pay the principal of and interest on the general obligation debt coming due and payable in each year.

BE IT FURTHER RESOLVED that the Board of Elections of Richmond County set the date of the referendum election for November 8, 2005 in order that the question of whether or not such special district tax shall be imposed and be submitted to the qualified voters of Richmond County.

BE IT FURTHER RESOLVED that the referendum shall be held in accordance and in conformity with the laws of the State of Georgia and the Board of Elections shall cause the date and purpose of the referendum to be published once a week for four weeks immediately preceding the date of such election in the official organ of Richmond County, and the notice of elections shall be in substantially the same form as follows:

NOTICE OF CALL FOR SPECIAL ELECTION
TO THE QUALIFIED VOTERS WITHIN RICHMOND COUNTY, GEORGIA
TO CONSIDER THE IMPOSITION OF
SPECIAL COUNTY 1 PERCENT SALES AND USE TAX

NOTICE is hereby given pursuant to a resolution adopted by the Commission of Augusta-Richmond County adopted on September 6, 2005, that on the 8th day of November, 2005, an election will be held in all of the election districts of Richmond County, Georgia (the "County") at which time there will be submitted to the qualified voters within the County for their determination, the following question:

BALLOT QUESTION

- () YES Shall a special 1 percent sales and use tax be imposed in the special district of Richmond County for the raising of not more than \$160,000,000 for the purpose of constructing under authority of a certain Resolution of the Augusta Commission adopted September 6, 2005 the following: (a) Capital outlay projects for PUBLIC FACILITIES for the use and benefit of the citizens of the entire county consisting of a county courthouse/judicial center, administrative buildings, county library, county jail, exhibit hall, which shall
- () NO

include new construction and improvements to existing county buildings and facilities, and appurtenant capital outlays as is defined in O.C.G.A. 48-8-110, Augusta Canal bond repayment and debt service; (b) Capital outlay projects for PUBLIC INFRASTRUCTURE AND EQUIPMENT including, but not be limited to information technology equipment acquisition, flood land acquisition, road, street, bridge or drainage improvements for the use of or benefit of the citizens of Richmond County; (c) Capital outlay projects TO IMPROVE THE QUALITY OF LIFE in Augusta-Richmond County consisting of recreational facilities; (d) Capital outlay projects to be owned or operated by the City of Hephzibah in respect to which Hephzibah, the City of Blythe and Augusta, Georgia entered into an INTER-GOVERNMENTAL AGREEMENT on September 6, 2005, as authorized in Article IX, Section III, of the Constitution of the State of Georgia for the construction of eligible expenditure projects as the same are set forth in said inter-governmental agreement; and (e) Capital outlay projects to be owned or operated by the City of Blythe in respect to which Blythe, the city of Hephzibah and Augusta, Georgia entered into an INTER-GOVERNMENTAL AGREEMENT on September 6, 2005, as authorized in Article IX, Section III, of the Constitution of the State of Georgia for the construction of eligible expenditure projects as the same are set forth in said inter-governmental agreement; and if imposition of the tax is approved by the voters, such vote shall also constitute approval of the issuance of general obligation debt of Augusta-Richmond County in the principal amount of \$44,000,000 for public facilities?

Voters desiring to vote for the imposition of the special 1 percent sales and use tax (the "Tax") for the purposes set forth in said Question shall do so by voting "YES" and voters desiring to vote against the imposition of the Tax for the purposes set forth in said Question shall do so by voting "NO". If the voters approve the imposition of the Tax in accordance with this paragraph, then the Tax shall be imposed for the purposes stated in the questions(s) so approved beginning April 1, 2006. Otherwise, the Tax shall not be imposed and the question of imposing the Tax will not again be submitted to the voters of Richmond County, Georgia until after 12 months immediately following the month in which the election is to be held.

The purposes for which the proceeds of the Tax are to be used will include the acquisition, construction and equipping of the following:

A. Capital outlay projects for PUBLIC FACILITIES for the use and benefit of the citizens of the entire county consisting of a county courthouse/judicial center, administrative buildings, county library, county jail, exhibit hall, which shall include new construction and improvements to existing county buildings and facilities, and appurtenant capital outlays as is defined in O.C.G.A. 48-8-110, Augusta Canal bond repayment and debt service;

B. Capital outlay projects for PUBLIC INFRASTRUCTURE AND EQUIPMENT including, but not be limited to information technology equipment acquisition, flood land

acquisition, road, street, bridge or drainage improvements for the use of or benefit of the citizens of Richmond County;

C. Capital outlay projects TO IMPROVE THE QUALITY OF LIFE in Augusta-Richmond County consisting of recreational facilities;

D. Capital outlay projects to be owned or operated by the City of Hephzibah in respect to which Hephzibah, the City of Blythe and Augusta, Georgia entered into an INTER-GOVERNMENTAL AGREEMENT on September 6, 2005, as authorized in Article IX, Section III, of the Constitution of the State of Georgia for the construction of eligible expenditure projects as the same are set forth in said inter-governmental agreement; and

E. Capital outlay projects to be owned or operated by the City of Blythe in respect to which Blythe, the city of Hephzibah and Augusta, Georgia entered into an INTER-GOVERNMENTAL AGREEMENT on September 6, 2005, as authorized in Article IX, Section III, of the Constitution of the State of Georgia for the construction of eligible expenditure projects as the same are set forth in said inter-governmental agreement.

If the qualified voters of Augusta, Georgia approve said BALLOT QUESTION such vote shall constitute approval of the issuance of general obligation debt of Augusta-Richmond County in the principal amount of \$44,000,000 for the purposes set forth in the BALLOT QUESTION.

Such debt, if authorized, shall be dated not later than the issuance and delivery thereof, bearing interest from date at a rate or rates not exceeding four percent (4.00%) per annum, and the principal maturing in the following years in an amount not to exceed the amounts set forth in the following table:

| <u>YEAR</u> | <u>AMOUNT</u> |
|-------------|----------------|
| 2007 | \$8,125,000.00 |
| 2008 | \$8,450,000.00 |
| 2009 | \$8,785,000.00 |
| 2010 | \$9,135,000.00 |
| 2011 | \$9,505,000.00 |

The specific projects within these categories of purposes set forth in said BALLOT QUESTION are set forth on a capital project list adopted in final form by the Augusta-Richmond County Commission on September 2, 2005 (the "List"). The estimated maximum costs set forth above are based on the estimated costs set forth in the List. The total amount of proceeds of the Tax to be spent on the projects in each of the categories of purposes set forth above shall be in the total amounts specified for each such category. However, use of Tax proceeds to pay costs of projects within a category may be shifted between projects within that category as needs dictate and as the Augusta-Richmond County Commission in its discretion shall determine. If not all of the Tax proceeds allocated to a particular category are expended for

the completion of projects in that category, such surplus funds may be transferred for use on projects in one or more of the other categories as the Augusta-Richmond County Commission in its discretion shall determine. It is expressly provided, however, that the net proceeds of the Tax received in any year shall not be used for any purpose until all debt service requirements of the general obligation debt for that year has been first satisfied from the account in which the proceeds of the Tax are placed.

The projects as proposed are to be built over a period of time extending for approximately five (5) years. Conditions may change making a proposed project no longer feasible or increasing the cost thereof to an amount exceeding the funds available, in any such event, the Augusta-Richmond County Commission may change the size, scope and/or site of such project to make the project one which is feasible and the costs of which are within the funds available or eliminate the project and transfer the funds allocated thereto to other projects within the same category of projects if funds are needed for the remaining projects within such category and if not, to projects in one or more of the other categories.

The several places for holding said election shall be the regular and established election districts within the County, and the polls shall be open from 7:00 o'clock A.M. to 7:00 o'clock P.M. on said date fixed for the election.

Those residents within the County qualified to vote in said election shall be determined in all respects in accordance with the election laws of the State of Georgia. Anyone desiring to vote in said referendum who is not a qualified voter of said County must register no later than October 11, 2005, at any of the approved voter registration sites in Richmond County, Georgia in order to be eligible to vote. Inquiries regarding voter registration may be directed to the Board of Elections Office, Room 104, City-County Building, Augusta, Georgia, or by calling (706) 821-2340.

This notice is given pursuant to a resolution of the Augusta-Richmond County Commission, adopted on September 6, 2005, and a call of election by the Board of Elections of Richmond County, Georgia.

This __ day of _____, 2005.

EXECUTIVE DIRECTOR OF THE
BOARD OF ELECTIONS OF RICHMOND
COUNTY, GEORGIA

By: _____
Lynn Bailey

BE IT FURTHER RESOLVED by the authority aforesaid and it is hereby resolved by the authority of same, that the clerk of said Augusta-Richmond County Commission be hereby ordered and directed to forthwith furnish the executive director of the Board of Elections of Richmond County a duly certified copy of this resolution in order that said Board of Elections shall issue the call for such election on a day not less than 60 days prior to the date for such referendum and that said Board of Elections take such action independently as provided by law; and

BE IT FURTHER RESOLVED by the authority aforesaid and it is hereby resolved by the authority of same, that any and all resolutions in conflict with this resolution be and the same are hereby repealed.

This 6th day of September 2005, as part of the
Meeting recessed from August 31, 2005
and recessed for Sept 2nd day.
Willie Mayfield
Mayor, Augusta, Georgia

Attest: [Signature]
Clerk, Augusta Commission

(Seal)

SPLOST V CAPITAL PROJECTS LIST

| | | | | | |
|---|--|----------|----|--------------|--------------------|
| | last update: | 2-Sep-05 | | Final as of: | 2-Sep-05 |
| EXHIBIT "A" PUBLIC FACILITIES | | | | | |
| | Judicial Center - County Court House | | | \$ | 40,016,200 |
| | Expand Webster D.C. (Replace LEC) - Jail (Bond) | | | \$ | 24,000,000 |
| | Expand Webster D.C. (Replace LEC) - Jail | | | \$ | 12,000,000 |
| | Relocate Sheriff Admin | | | \$ | 3,000,000 |
| | Renovations to RCCI - Jail | | | \$ | 750,000 |
| | Exhibit Hall | | | \$ | 20,000,000 |
| | Main Library | | | \$ | 14,700,000 |
| | Augusta Canal Improvements | | | \$ | 2,500,000 |
| | Augusta Canal Bond Repayment | | | \$ | 8,000,000 |
| | | | | \$ | 124,966,200 |
| BOND DEBT SERVICE | | | | | |
| | \$24M Jail + \$20M Ex Hall | | | \$ | 5,417,800 |
| | | | | \$ | 5,417,800 |
| EXHIBIT "B" INFRASTRUCTURE & EQUIPMENT | | | | | |
| | Information Technology | | | \$ | 2,000,000 |
| | Flood Land Acquisition | | | \$ | 500,000 |
| | Roads and Drainage | | | | |
| | Wrightsboro Road Project | | \$ | 4,000,000 | |
| | Roads and Drainage - Other Projects | | \$ | 6,000,000 | |
| | Total Roads and Drainage | | | \$ | 10,000,000 |
| | Fire Stations & Training Center | | | \$ | 6,000,000 |
| | | | | \$ | 18,500,000 |
| EXHIBIT "C" QUALITY OF LIFE | | | | | |
| | Parks & Recreation | | | \$ | 5,000,000 |
| | Imperial Theater | | | \$ | 500,000 |
| | Augusta Mini Theater | | | \$ | 500,000 |
| | Lucy Craft Laney Museum | | | \$ | 200,000 |
| | The MACH Academy | | | \$ | 100,000 |
| | Recreation, Historic, Cultural and Other Buildings | | | \$ | 400,000 |
| | Augusta Museum | | | \$ | 400,000 |
| | | | | \$ | 7,100,000 |
| EXHIBIT "D" INTERGOVERNMENTAL AGREEMENT EXPENDITURES BY QUALIFIED MUNICIPALITY | | | | | |
| | City of Hephzibah | | | \$ | 3,104,000 |
| | | | | \$ | 3,104,000 |
| EXHIBIT "D" INTERGOVERNMENTAL AGREEMENT EXPENDITURES BY QUALIFIED MUNICIPALITY | | | | | |
| | City of Blythe | | | \$ | 912,000 |
| | | | | \$ | 912,000 |
| TOTAL, SPLOST V BALLOT | | | | \$ | 160,000,000 |

9/6/2005

Revised: August 19, 2005
August 25, 2005
August 31, 2005

EXHIBIT D

SPLOST.V Intergovernmental Agreement

STATE OF GEORGIA)
)
COUNTY OF RICHMOND)

INTERGOVERNMENTAL AGREEMENT
FOR THE USE AND DISTRIBUTION OF PROCEEDS FROM THE SPECIAL
PURPOSE LOCAL OPTION SALES TAX PHASE V
FOR CAPITAL OUTLAY PROJECTS
BETWEEN AUGUSTA, GEORGIA, CITY OF HEPHZIBAH, GEORGIA and CITY OF
BLYTHE, GEORGIA

THIS AGREEMENT is made and entered this the 6th day of Sept, 2005, by and between Augusta, Georgia, also known as Augusta-Richmond County, a political subdivision of the State of Georgia (the "County"), and the City of Hephzibah, and the City of Blythe, municipal corporations of the State of Georgia. (the "Municipalities", individually and collectively),

WITNESSETH:

WHEREAS, O.C.G.A. § 48-8-110 *et seq.* (the "Act"), authorizes the levy of a one percent County Special Purpose Local Option Sales Tax (the "SPLOST") for the purpose of financing capital outlay projects for the use and benefit of the County and qualified municipalities within the County; and

WHEREAS, the County and Municipalities met to discuss possible projects for inclusion in the SPLOST referendum on the 15th day of August, 2005 in conformance with the requirements of O.C.G.A. § 48-8-111 (a); and

WHEREAS, the County and the Municipalities have negotiated a division of the Special Purpose Local Option Sales Tax proceeds as authorized by the Act.

NOW, THEREFORE, in consideration of the mutual promises and understandings made in this Agreement, and for other good and valuable consideration, the County and the Municipalities consent and agree as follows:

Section 1. Representations and Mutual Covenants

A. The County makes the following representations and warranties which may be specifically relied upon by all parties as a basis for entering this Agreement:

- (i) The County is a political subdivision duly created and organized under the Constitution of the State of Georgia;

- (ii) The governing authority of the County is duly authorized to execute, deliver and perform this Agreement; and
- (iii) This Agreement is a valid, binding, and enforceable obligation of the County; and
- (iv) The County will take all actions necessary to call an election to be held in all voting precincts in the County on the 8th day of November, 2005 for the purpose of submitting to the voters of the County for their approval, the question of whether or not a SPLOST shall be imposed on all sales and uses within the special district of Augusta-Richmond County, Georgia, commencing on the 1st day of April, 2006, to raise an estimated \$160,000,000 to be used for funding the projects specified in Exhibit A, B, C and D, attached hereto.

B. Each of the Municipalities makes the following representations and warranties which may be specifically relied upon by all parties as a basis for entering this Agreement:

- (i) Each Municipality is a municipal corporation duly created and organized under the Laws of the State of Georgia;
- (ii) The governing authority of each Municipality is duly authorized to execute, deliver and perform this Agreement;
- (iii) This Agreement is a valid, binding, and enforceable obligation of each Municipality;
- (iv) Each Municipality is a qualified municipality as defined in O.C.G.A. §48-8-110 (4); and
- (v) Each Municipality is located entirely or partially within the geographic boundaries of the special tax district created in the County.

C. It is the intention of the County and Municipalities to comply in all respects with O.C.G.A. § 48-8-110 *et seq.* and all provisions of this Agreement shall be construed in light of O.C.G.A. § 48-8-110 *et seq.*

D. The County and Municipalities agree to promptly proceed with the acquisition, construction, equipping and installation of the projects specified in Exhibits A, B, C, D-1, D-2 and D-3 of this Agreement and in accordance with the priority order referenced in Section 8 of this Agreement.

E. The County and Municipalities agree that each approved SPLOST project associated with this Agreement shall be maintained as a public facility and in public ownership. If ownership of a project financed pursuant to this Agreement is transferred to private ownership within 10 years of the SPLOST expiration, the proceeds of the sale shall, for the purposes of this Agreement, be deemed excess funds and disposed of as provided under O.C.G.A. § 48-8-121 (g)(2).

F. The County and Municipalities agree to maintain thorough and accurate records concerning receipt of SPLOST proceeds and expenditures for each project undertaken by the respective county or municipality as required fulfilling the terms of this Agreement

Section 2. Conditions Precedent

A. The obligations of the County and Municipalities pursuant to this Agreement are conditioned upon the adoption of a resolution of the County calling for the imposition of the SPLOST in accordance with the provisions of O.C.G.A. § 48-8-111 (a).

B. This Agreement is further conditioned upon the approval of the proposed imposition of the SPLOST by the voters of the County in a referendum to be held in accordance with the provisions of O.C.G.A. § 48-8-111 (b) through (e).

C. This Agreement is further conditioned upon the collecting of the SPLOST revenues by the State Department of Revenue and transferring same to the County.

Section 3. Effective Date and Term of the Tax

The SPLOST, subject to approval in an election to be held on November 8, 2005, shall continue until the sum of \$160,000,000 revenues have been realized with collections beginning on April 1, 2006.

Section 4. Effective Date and Term of This Agreement

This Agreement shall commence upon the date of its execution and shall terminate upon the later of:

- (i) The official declaration of the failure of the election described in this Agreement;
- (ii) The expenditure by the County and all of the Municipalities of the last dollar of money collected from the Special Purpose Local Option Sales Tax after the expiration of the Special Purpose Local Option Sales Tax; or
- (iii) The completion of all projects described in Exhibits A, B, C, D-1, D-2 and D-3.

Section 5. County SPLOST Fund; Separate Accounts; No Commingling

A. A special fund or account shall be created by the County and designated as the 2005 Augusta-Richmond County SPLOST V Special Purpose Local Option Sales Tax Fund ("SPLOST Fund"). The County shall select a local bank which shall act as a depository and custodian of the SPLOST Fund upon such terms and conditions as may be acceptable to the County.

B. Each Municipality shall create a special fund to be designated as the 2005 Hephzibah/Blythe Phase V Special Purpose Local Option Sales Tax Fund. Each Municipality shall select a local bank which shall act as a depository and custodian of the SPLOST proceeds received by each Municipality upon such terms and conditions as may be acceptable to the Municipality.

C. All SPLOST proceeds shall be maintained by the County and each Municipality in the separate accounts or funds established pursuant to this Section. Except as provided in Section 6, SPLOST proceeds shall not be commingled with other funds of the County or Municipalities and shall be used exclusively for the purposes detailed in this Agreement. No funds other than SPLOST proceeds shall be placed in such funds or accounts.

Section 6. Procedure for Disbursement of SPLOST Proceeds

A. Upon receipt by the County of SPLOST proceeds collected by the State Department of Revenue, the County shall immediately deposit said proceeds in the SPLOST Fund. The monies in the

SPLOST Fund shall be held and applied to the cost of acquiring, constructing and installing the County capital outlay projects listed in Exhibit A and as provided in Paragraph B of this Section.

B + C

B. The County, following deposit of the SPLOST proceeds in the SPLOST Fund, shall within 10 business days disburse the SPLOST proceeds due to each Municipality.

C. Should any Municipality cease to exist as a legal entity before all funds are distributed under this Agreement, that Municipality's share of the funds subsequent to dissolution shall be paid to the County as part of the County's share unless an act of the Georgia General Assembly makes the defunct Municipality part of another successor municipality. If such an act is passed, the defunct Municipality's share shall be paid to the successor Municipality in addition to all other funds to which the successor Municipality would otherwise be entitled.

Section 7. Projects Subject to this Agreement.

All capital outlay projects, to be funded in whole or in part from SPLOST proceeds, are listed in Exhibits A, B, C, D-1 and D-2, which are attached hereto and made part of this Agreement. The County and Hephzibah and Blythe have allocated the net proceeds from SPLOST collections as follows: to Blythe, .57%; to Hephzibah, 1.94%; and the balance 97.49% to Augusta.

Section 8. Priority and Order of Project Funding

including its sub-schedules

Projects shall be fully or partially funded and constructed in accordance with the schedules found in Exhibits D-1, D-2 AND D-3 of this Agreement. The County and each Municipality shall independently and exclusively determine the priority and schedule of their respective projects, and any modification to such priority and/or schedules.

Section 9. Completion of Projects

A. The County and Municipalities acknowledge that the costs shown for each project described in Exhibits A, B, C, D-1 and D-2 are estimated amounts.

B. If a county project has been satisfactorily completed at a cost less than the estimated cost listed for that project, the County may apply the remaining unexpended funds to any other county project.

C. If a municipal project for Hephzibah has been satisfactorily completed at a cost less than the estimated cost listed for that project in Exhibit D-1, Hephzibah may apply the remaining unexpended funds to any other project included for Hephzibah.

D. If a municipal project for Blythe has been satisfactorily completed at a cost less than the estimated cost listed for that project in Exhibit D-2, Blythe may apply the remaining unexpended funds to any other project included for Blythe.

E. The County and Municipalities agree that each approved SPLOST project associated with this Agreement shall be completed or substantially completed within five years of the termination of the SPLOST. Any SPLOST proceeds held by a County or Municipality at the end of said five year

period shall, for the purposes of this Agreement, be deemed excess funds and disposed of as provided under O.C.G.A. § 48-8-121 (g)(2).

Section 10. Certificate of Completion

Within thirty (30) days after the acquisition, construction or installation of a municipal project listed herein is completed, the Municipality owning the project shall file with the County a Certificate of Completion signed by the mayor or chief elected official of the respective Municipality, setting forth the date on which the project was completed, and the final cost of the project.

Section 11. Expenses

The County shall administer the SPLOST Fund to effectuate the terms of this Agreement and shall be reimbursed for the actual costs of administration of the SPLOST Fund. **Furthermore, the County shall be responsible for the cost of holding the SPLOST election.** The County shall be reimbursed for the costs of the election including the Municipalities' share of such costs out of SPLOST proceeds deposited in the SPLOST Fund.

Section 12. Audits

A. During the term of this Agreement, the distribution and use of all SPLOST proceeds deposited in the SPLOST Fund and each Municipal fund shall be audited annually by an independent certified public accounting firm in accordance with O.C.G.A. § 48-8-121 (a)(2). The County and each Municipality receiving SPLOST proceeds shall be responsible for the cost of their respective audits. The County and the Municipalities agree to cooperate with the independent certified public accounting firm in any audit by providing all necessary information.

B. Each Municipality shall provide the County a copy of the audit of the distribution and use of the SPLOST proceeds by the Municipality.

Section 13. Notices

All notices, consents, waivers, directions, requests or other instruments or communications provided for under this Agreement shall be deemed properly given when delivered personally or sent by registered or certified United States mail, postage prepaid, as follows:

| | | |
|-------------------------------------|--------------------------|-----------------------|
| Augusta-Richmond County | City of Hephzibah | City of Blythe |
| Wm. Willie H. Mays, III, Mayor | D.B. Atkins, Mayor | Tom Cobb, Mayor |
| Frederick L. Russell, Administrator | Hephzibah City Hall | Blythe City Hall |
| 530 Greene Street | 2538 Hwy 88 | 294 Church Street |
| Augusta, Georgia 30911 | Hephzibah, Georgia 30815 | Blythe, Georgia 30805 |

Section 14. Entire Agreement

This Agreement, including any attachments or exhibits, constitutes all of the understandings and agreements existing between the County and the Municipalities with respect to distribution and use

Revised: August 19, 2005
August 25, 2005
August 31, 2005

of the proceeds from the Special Purpose Local Option Sales Tax. Furthermore, this Agreement supersedes all prior agreements, negotiations and communications of whatever type, whether written or oral, between the parties hereto with respect to distribution and use of said SPLOST.

Section 15. Amendments

This Agreement shall not be amended or modified except by agreement in writing executed by the governing authorities of the County and the Municipalities, or unilaterally by any party hereto under authority of Section 8 hereof with respect to modification of projects and/or project schedules.

Section 16. Governing Law

This Agreement shall be deemed to have been made and shall be construed and enforced in accordance with the laws of the State of Georgia.

Section 17. Severability

Should any phrase, clause, sentence, or paragraph of this Agreement be held invalid or unconstitutional, the remainder of the Agreement shall remain in full force and effect as if such invalid or unconstitutional provision were not contained in the Agreement unless the elimination of such provision detrimentally reduces the consideration that any party is to receive under this Agreement or materially affects the operation of this Agreement.

Section 18. Compliance with Law

The County and the Municipalities shall comply with all applicable local, State, and Federal statutes, ordinances, rules and regulations.

Section 19. No Consent to Breach

No consent or waiver, express or implied, by any party to this Agreement, to any breach of any covenant, condition or duty of another party shall be construed as a consent to or waiver of any future breach of the same.

Section 20. Counterparts

This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

Section 21. Mediation

The County and Municipalities agree to submit any controversy arising under this Agreement to mediation for a resolution. The parties to the mediation shall mutually select a neutral party to serve as mediator. Costs of mediation shall be shared equally among the parties to the mediation.

Revised: August 19, 2005
August 25, 2005
August 31, 2005

IN WITNESS WHEREOF, the County and the Municipalities acting through their duly authorized agents have caused this Agreement to be signed, sealed and delivered for final execution by the County on the date indicated herein.

AUGUSTA, GEORGIA

858 By: 

William H. Mays, III, Mayor

Attest:


Lena Bonner

Clerk of Commission

MUNICIPALITY OF HEPHZIBAH, GEORGIA

By: _____

D. B. Atkins, Mayor

Attest:

Clerk

MUNICIPALITY OF BLYTHE, GEORGIA

By: _____

Tom Cobb, Mayor

Attest:

Clerk

200 OF 2000 10701 LAW OFFICE

IN WITNESS WHEREOF, the County and the Municipalities acting through their duly authorized agents have caused this Agreement to be signed, sealed and delivered for final execution by the County on the date indicated herein.

AUGUSTA, GEORGIA

By: William H. Mays, III, Mayor

Attest:

Lena Bonner
Clerk of Commission

MUNICIPALITY OF HEPHZIBAH, GEORGIA

By: D. E. Atkins, Mayor

Attest:

Matthew R. Allen
Clerk

MUNICIPALITY OF BLYTHE, GEORGIA

By: Tom Cobb, Mayor 08-31-05

Attest:

Loriann H. Chancey
Clerk Loriann H. Chancey

SPLOST V CAPITAL PROJECTS LIST

| | | | | | |
|---|--|----------|-----------|--------------|-------------|
| | last update: | 2-Sep-05 | | Final as of: | 2-Sep-05 |
| EXHIBIT "A" PUBLIC FACILITIES | | | | | |
| | Judicial Center - County Court House | | | \$ | 40,016,200 |
| | Expand Webster D.C. (Replace LEC) - Jail (Bond) | | | \$ | 24,000,000 |
| | Expand Webster D.C. (Replace LEC) - Jail | | | \$ | 12,000,000 |
| | Relocate Sheriff Admin | | | \$ | 3,000,000 |
| | Renovations to RCCI - Jail | | | \$ | 750,000 |
| | Exhibit Hall | | | \$ | 20,000,000 |
| | Main Library | | | \$ | 14,700,000 |
| | Augusta Canal Improvements | | | \$ | 2,500,000 |
| | Augusta Canal Bond Repayment | | | \$ | 8,000,000 |
| | | | | \$ | 124,966,200 |
| BOND DEBT SERVICE | | | | | |
| | \$24M Jail + \$20M Ex Hall | | | \$ | 5,417,800 |
| | | | | \$ | 5,417,800 |
| EXHIBIT "B" INFRASTRUCTURE & EQUIPMENT | | | | | |
| | Information Technology | | | \$ | 2,000,000 |
| | Flood Land Acquisition | | | \$ | 500,000 |
| | Roads and Drainage | | | | |
| | Wrightsboro Road Project | \$ | 4,000,000 | | |
| | Roads and Drainage - Other Projects | \$ | 6,000,000 | | |
| | Total Roads and Drainage | | | \$ | 10,000,000 |
| | Fire Stations & Training Center | | | \$ | 6,000,000 |
| | | | | \$ | 18,500,000 |
| EXHIBIT "C" QUALITY OF LIFE | | | | | |
| | Parks & Recreation | | | \$ | 5,000,000 |
| | Imperial Theater | | | \$ | 500,000 |
| | Augusta Mini Theater | | | \$ | 500,000 |
| | Lucy Craft Laney Museum | | | \$ | 200,000 |
| | The MACH Academy | | | \$ | 100,000 |
| | Recreation, Historic, Cultural and Other Buildings | | | \$ | 400,000 |
| | Augusta Museum | | | \$ | 400,000 |
| | | | | \$ | 7,100,000 |
| EXHIBIT "D" INTERGOVERNMENTAL AGREEMENT EXPENDITURES BY QUALIFIED MUNICIPALITY | | | | | |
| | City of Hephzibah | | | \$ | 3,104,000 |
| | | | | \$ | 3,104,000 |
| EXHIBIT "D" INTERGOVERNMENTAL AGREEMENT EXPENDITURES BY QUALIFIED MUNICIPALITY | | | | | |
| | City of Blythe | | | \$ | 912,000 |
| | | | | \$ | 912,000 |
| TOTAL, SPLOST V BALLOT | | | | \$ | 160,000,000 |

EXHIBIT D-1

CITY OF HEPHZIBAH

2530 Ga. Hwy. 88 * P. O. Box 250 * Hephzibah, GA 30815-0250
Phone (706) 592-4423 * Fax (706) 592-1187
County of Richmond * State of Georgia * United States of America

August 17, 2005

SPLOST - PROJECTED PROJECTS FOR 2006-2010

A - NEW WATER TANK (500,000 gallons) - Estimated Cost - \$ 860,000.00

A - SUPPORTING WATER LINES - Estimated Cost - \$ 240,000.00

B - DEVELOP PARK ON MURPHY /REYNOLDS STREETS -
Estimated Cost - \$ 15,000.00

B - FIRE LADDER/PUMPER TRUCK - Estimated Cost - \$ 191,000.00

B - POLICE VEHICLES/SUPPORTING EQUIPMENT -
Estimated Cost - \$ 210,000.00

B - WATER DEPARTMENT VEHICLES/EQUIPMENT -
Estimated Cost - \$ 155,000.00

C - PAVING CITY STREETS(formally County Roads)-
Estimated Cost - \$ 230,000.00

C - SEWER EXPANSION - Estimated Cost - \$ 1,000,000.00

C - CITY HALL EXPANSION - Estimated Cost - \$ 94,000.00

C - TRACTOR/SUPPORTING EQUIPMENT for Right Of Way Maintenance -
Estimated Cost - \$ 51,000.00

* FIRE DEPT./ADMIN. OFFICES (NOTE: this figure is included in County
proposed Projects - pg. 21) - Estimated Cost - \$ 2,200,000.00 (not
included in total estimated costs below)

TOTAL - Estimated Costs - \$ 3,046,000.00

CITY OF BLYTHE
STATE OF GEORGIA

A RESOLUTION

WHEREAS, Augusta-Richmond County desires to re-impose the SPLOST tax effective April 1, 2006, by a referendum election to be submitted to the qualified voters of Richmond County on November 8, 2005; and

WHEREAS, said SPLOST tax is authorized by O.C.G.A. Sections 48-8-110, *et seq.*, (effective July 1, 2004); and

WHEREAS, Augusta-Richmond County did notify all qualified municipalities located within the special district, i.e., the City of Hephzibah and the City of Blythe, of a meeting to discuss the possible projects for inclusion in the referendum in compliance with O.C.G.A. Section 48-8-111, and said meeting was held on August 1, 2005; and

WHEREAS, the City of Blythe desires to include projects located within its corporate boundaries in the projects to be funded by said SPLOST tax proceeds which will be distributed pursuant to O.C.G.A. Section 48-8-115; and

WHEREAS, the City of Blythe has informed the governing authority of Augusta-Richmond County of the projects which it desires be funded by said SPLOST tax proceeds and the estimated costs of said projects in advance of negotiations of an inter-governmental agreement for the distribution of said SPLOST tax proceeds; and

WHEREAS, the City of Blythe desires to designate the priorities of the projects which it desires be funded by said SPLOST tax proceeds;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING AUTHORITY OF THE CITY OF BLYTHE, GEORGIA, AS FOLLOWS:

That the priority of the projects to be funded by the tax revenue generated by the Phase V special purpose local option sales tax be established as set forth herein below, to-wit:

FIRST PRIORITY: water system upgrades and improvements with an estimated cost of \$300,000.00, including acquisition of realty and/or rights of way; the construction of a new well; the purchase, construction and installation of water pumping equipment and facilities; the purchase, construction and installation of water storage equipment and facilities; the purchase and installation of water lines; and the purchase and installation of all equipment and facilities reasonably necessary to connect the water system upgrades and improvements to the existing water system;

SECOND PRIORITY: the purchase of materials and construction of improvements to the City Hall/Community Center with an estimated cost of \$150,000.00;

THIRD PRIORITY: purchase of police department equipment and upgrades to the police department facilities with an estimated cost of \$228,000.00, to include the purchase of four (4) fully-equipped police cruisers, each including computer systems with software, radio equipment, audio broadcast and recording equipment, emergency light systems, radar equipment, cameras, video playback equipment and firearms systems and the expansion of police department facilities and the purchase and installation of capital equipment related to the operation of public safety facilities to include communications systems, dispatch systems, audio and video equipment, and computer systems with software;

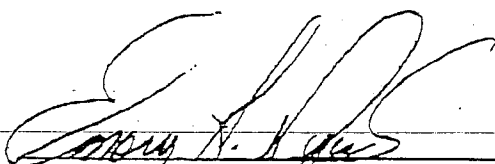
FOURTH PRIORITY: the purchase of major equipment including a front-end loader and backhoe, a heavy-duty trailer, a dump truck, a trencher, a boring machine, utilities locator equipment, and a water line tapping machine with an estimated cost of \$156,000.00;

FIFTH PRIORITY: the construction of improvements to recreational and library facilities and the construction of surface water drainage improvements and sidewalks with an estimated cost of \$78,000.00, to include the acquisition of realty and/or rights-of-way for sidewalks, paved walking paths and/or bicycle paths; the relocation of utilities and construction of sidewalks, paved walking paths and/or bicycle paths; the acquisition of materials for, and the construction of, surface water drainage improvements; the creation, development and construction of recreational facilities in greenspace areas and parks; and the construction of improvements to the library;

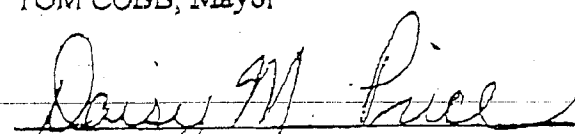
SIXTH PRIORITY: additional water system upgrades and improvements with an estimated cost of \$45,600.00 to be paid from the City of Blythe's pro rata share of the net SPLOST proceeds generated in excess of the anticipated \$160,000,000.00 before said tax terminates, if any, the purchase, construction and installation of water pumping equipment and facilities; the purchase, construction and installation of water storage equipment and facilities; the purchase and installation of water lines; and the purchase and installation of all equipment and facilities reasonably necessary to connect the water system upgrades and improvements to the existing water system;

The City Council of Blythe, Georgia, does hereby reserve the independent and exclusive right to determine the priority and schedule of the foregoing projects and to make any modifications to such priorities and/or schedules.

SO RESOLVED by the City Council of Blythe, Georgia, this 25th day of August, 2005.


EMORY A. MYERS, Mayor Pro Tempore


TOM COBB, Mayor

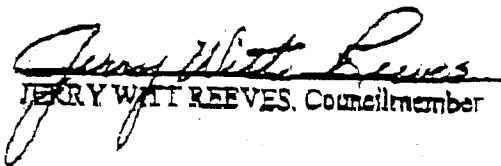

DAISY M. PRICE, Councilmember

[SIGNATURES CONTINUED ON FOLLOWING PAGE]

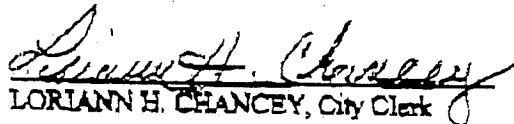
CITY OF BLYTHE
RESOLUTION

DATED AUGUST 25, 2005

CONTINUATION PAGE FOR SIGNATURES


JERRY WATT REEVES, Councilmember

Attested By:


LORIAN H. CHANCEY, City Clerk


JAMES M. GRAY, Councilmember

Approved as to Form:


B. MICHAEL ARRINGTON, City Attorney

EXHIBIT D-3 INTERGOVERNMENTAL AGREEMENT

Estimated Disbursement Schedule for Augusta Projects and Disbursements to Hephzibah and Blythe

| Year | Cash Flow | Project List | Amount | Priority |
|------|--------------|----------------------------|--------------|-----------------|
| 2006 | \$16,000,000 | Canal Bond | \$8,000,000 | 1 st |
| | | Quality of Life | 3,550,000 | 2 nd |
| | | Hephzibah | \$1,034,666 | 3 rd |
| | | Blythe | \$304,000 | 4 th |
| | | Infrastructure & Equipment | \$2,000,000 | 5 th |
| | | Total | \$14,888,666 | |
| 2007 | \$32,000,000 | Principal Repayment | \$8,125,000 | 1 st |
| | | Interest Repayment | \$1,083,560 | 1 st |
| | | Quality of Life | \$3,550,000 | 2 nd |
| | | Hephzibah | \$1,034,666 | 3 rd |
| | | Blythe | \$304,000 | 4 th |
| | | Infrastructure & Equipment | \$3,000,000 | 5 th |
| | | Public Facilities | \$14,500,000 | 6 th |
| | | Total | \$31,597,226 | |
| 2008 | \$32,000,000 | Principal Repayment | \$8,450,000 | 1 st |
| | | Interest Payment | \$1,083,560 | 1 st |
| | | Hephzibah | \$1,034,666 | 2 nd |
| | | Blythe | \$304,000 | 3 rd |
| | | Infrastructure & Equipment | \$3,000,000 | 4 th |
| | | Public Facilities | \$17,955,000 | 5 th |
| | | Total | \$31,827,226 | |

| | | | | |
|------|--------------|----------------------------|--------------|-----------------|
| 2009 | \$32,000,000 | Principal Repayment | \$8,785,000 | 1 st |
| | | Interest Repayment | \$1,083,560 | 1 st |
| | | Infrastructure & Repayment | \$3,000,000 | 2 nd |
| | | Public Facilities | \$19,000,000 | 3 rd |
| | | Total | \$31,868,560 | |
| 2010 | \$32,000,000 | Principal Repayment | \$9,135,000 | 1 st |
| | | Interest Repayment | \$1,083,560 | 1 st |
| | | Infrastructure & Equipment | \$3,750,000 | 2 nd |
| | | Public Facilities | \$18,000,000 | 3 rd |
| | | Total | \$31,968,560 | |
| 2011 | \$16,000,000 | Principal Repayment | \$9,505,000 | 1 st |
| | | Interest Repayment | \$1,083,560 | 1 st |
| | | Infrastructure & Equipment | \$3,750,000 | 2 nd |
| | | Public Facilities | \$1,661,440 | 3 rd |
| | | Total | \$16,000,000 | |
| | | Total Amount Spent: | 158,150,238 | |

* See attached explanation of schedule of disbursements for more specific allocation of funding.

EXHIBIT D-3

DATE: September 6, 2005

RE: Explanation of Schedule of Disbursements of SPLOST Funds as shown on the Schedule in this Exhibit D-3 Allocating the Schedule of Disbursements to Augusta Capital Projects Categories, SPLOST Bond Debt Service and the General Disbursements to the Qualified Municipalities of Hephzibah and Blythe

Summary

SPLOST tax proceeds shall be collected commencing on April 1, 2006 and shall continue until the end of the calendar quarter in which it is estimated that the total tax collections shall reach \$160,000,000. It is estimated that calendar quarter shall be the first quarter of 2011. Determination is in accordance with state revenue regulations which shall continue the tax until the end of said quarter.

Actual receipt of SPLOST tax proceeds is delayed two months after collections beginning April 2006 which means that collections will be received by Augusta in June 2006.

The tax is estimated to produce receipts of \$32,000,000 annually. Because SPLOST ^{IV}VI will be imposed beginning with the second quarter of 2006, it is estimated that the revenues actually received will be \$16,000,000.

The allocation of the revenues is tiered under the schedule in this Exhibit D-3. The first priority disbursement in each year shall be funded in full before funding is allocated to the second priority and the second priority allocation shall be funded in full before funding is applied to the third priority. This sequence of priority funding shall continue throughout all priorities designated in each year as the account category for receipt of the tax proceeds.

The last priority account in each year shall be the recipient of any funds in excess of the amounts in the schedule until the maximum stated for each category shall have been reached and shall be thereafter available for reprogramming as allowed by the SPLOST law and the Resolution of the Commission adopted September 6, 2005.

Said final disbursement shall be made to the public facilities account and shall be terminated when the total disbursements equal \$160,000,000 for all categories hereinbefore described and such excess amount as is received in the time between the actual receipt of \$160,000,000 and the end of the calendar quarter in which said amount is reached.

Hephzibah Categories

The municipality of Hephzibah shall apply its allocations in priority order in accordance with the ~~Schedule D-1 that is filed herewith unless it is later modified by the city commission of~~ Hephzibah in its discretion as herein allowed.

Blythe Categories

The municipality of Blythe shall apply its money received from SPLOST finds in accordance with the priority order in Schedule D-2 unless said schedule is later modified by the city council of Blythe as is allowed under this agreement.

Augusta Categories

Augusta has adopted SPLOST category budgets: for Augusta Public Facilities known as Exhibit "A" projects; for Augusta Infrastructure and Equipment projects known as Exhibit "B" projects; and Augusta Quality of Life projects known as Exhibit "C" projects.

The Augusta category of Public Facilities projects is further divided into the subcategories for the SPLOST bond projects (the Exhibit Hall and Webster Detention Center projects); the Augusta Canal bond repayment and the other projects therein which are "pay as you go projects" (also known as "paygo"). The Augusta Canal and the Webster Detention Center are partly funded as "pay as you go" projects.

The Augusta Canal improvements are partly funded in the "paygo" subcategory in said category and shall be the first priority payment in said subcategory. The "paygo" portion of the Augusta Canal improvement cost is estimated to be \$2,500,000; the second priority disbursement shall be to the main library project in the estimated amount of \$14,700,000; the third priority funding shall be allocated to the renovation of the Richmond County Correctional Institution in the amount of \$750,000 and the Sheriff's Administration Building in the estimated amount of \$3,000,000; the fourth priority project shall be the cash funded portion of the expansion of the Webster Detention Center which is estimated to be in the amount of \$12,000,000; the fifth and final priority of funding shall be the funding of the judicial center/county courthouse in the amount of \$40,016,200.

The subcategory Exhibit A projects for the \$24,000,000 expansion of the Webster Detention Center and the Exhibit Hall funding in the amount of \$20,000,000 which are included as public facilities category A projects are not included in the "paygo" funding allocation as the same are bond projects which have been funded in the years 2007 through 2011.

In the Augusta category of "Infrastructure and Equipment" which is also known as Exhibit B or category B accounts the following priority order shall be observed: First priority disbursement shall be to the Wrightsboro road project in the amount of \$4,000,000; the second priority disbursement shall be to the other roads and drainage projects listed herein in Exhibit D-3.1 in the amount of \$6,000,000. The third priority disbursement under said category shall be for Information Technology equipment in the amount of \$2,000,000; and the fourth priority under this category shall be allocated to flood land acquisition in the amount of \$500,000 and to the fire stations and training center in the amount of \$6,000,000.

In the Augusta Quality of Life projects category which are also known as Exhibit C or category C projects the following funding order for capital projects shall be observed: The first priority funding shall be allocated to the Imperial Theater in the amount of \$500,000; the second priority funding shall be allocated to the Augusta Mini Theater in the sum of \$500,000; the third priority funding shall be the Lucy Craft Laney Museum in the amount of \$200,000; the fourth priority of funding shall be to the MACH in the amount of \$100,000; the fifth priority of funding shall be allocated to the category of recreation, historic cultural and other buildings in the amount of \$400,000 and the sixth category of funding shall be to the Augusta museum in the amount of \$400,000; the final and seventh priority of funding in said category shall be to the Augusta account for parks and recreation in the amount of \$5,000,000 as said projects are more further herein defined in Exhibit D-3.2.

2006

In 2006 the first priority disbursement is in the amount necessary to pay off the Augusta Canal Bonds (which is estimated to be approximately \$8,000,000) said payoff shall be funded in full prior to any other lower priority disbursement.

Following the first priority disbursement the second priority disbursement shall be in the amount of \$3,550,000 which shall be made to the Augusta, Georgia account for Augusta Quality of Life projects category.

After the second priority disbursement, the third priority disbursement shall be made to the City of Hephzibah in the amount of \$1,034,666.

After the third priority disbursement to Hephzibah, the fourth priority disbursement shall be made to the City of Blythe in the amount of \$304,000 and following the fourth priority disbursement to Blythe, the fifth priority disbursement shall be made to the Augusta Infrastructure and Equipment Category Account in the amount of the remaining funds received in the receipts for 2006 which shall be approximately \$2,000,000.

2007

In 2007 the first priority disbursement is the SPLOST bond repayment of \$8,125,000 in principal and approximately \$1,083,580 in interest which is due and payable under the resolution adopted by the Augusta Commission on September 6, 2005 and the ballot approved by the voters in the election held November 8, 2005. Following said first priority payment, the second priority payment shall be to the Augusta Quality of Life category account in the amount of \$3,555,000; the third priority payment shall be to the City of Hephzibah in the amount of \$1,034,667; the fourth priority disbursement shall be to the City of Blythe in the amount of \$304,000; the fifth priority payment shall be to the Augusta Infrastructure and Equipment category account in the amount of \$3,000,000; the final and sixth disbursement for the funds estimated to be collected in 2007 shall be made to the Augusta Public Facilities category account in the amount of approximately \$14,500,000.

ROADS & DRAINAGE

- | | |
|-------------------------------------|--------|
| 1. TOTAL PROJECT BUDGET: | \$6M |
| • D'Antignac Street Flood Avoidance | \$1M |
| • Administration | \$2.5M |
| • Marks Church Road Improvement | \$2.5M |
-

Augusta Recreation and Parks
CIP

2006-2011/SPLOST V

| Project Name | District | CIP 2006-2011 | Phase V Administrator Request | Option A |
|--------------------------|----------|---------------|-------------------------------|----------|
| A. L. Williams | 1 | 112,200 | | |
| Augusta Boxing Club | 1 | 41,700 | | |
| Baurle Boat Ramp | 1 | 165,000 | | |
| Blount | 1 | 14,630 | | |
| Dyess | 1 | 336,600 | 70,000 | |
| Eastview | 1 | 102,960 | | |
| Hillside | 1 | 43,560 | | |
| Lake Olmstead | 1 | 3,999,600 | 230,000 | |
| Lake Olmstead Stadium | 1 | 1,650,000 | 400,000 | |
| Lock and Dam | 1 | 158,400 | 55,000 | |
| Lucy Laney Walking Track | 1 | 150,000 | | |
| Augusta Marina | 1 | 150,000 | 75,000 | |
| May Park | 1 | 530,200 | 75,000 | |
| Old Government House | 1 | 478,500 | 50,000 | |
| Radford | 1 | 158,400 | | |
| Sand Hills | 1 | 140,000 | | |
| The Boathouse | 1 | 455,400 | 100,000 | |
| Wood Street | 1 | 162,800 | | |
| Apple Valley | 2 | 1,125,200 | 350,000 | |
| Central | 2 | 99,000 | | |
| Doughly | 2 | 145,200 | 30,000 | |
| Elliott | 2 | 465,000 | | |
| Fleming | 2 | 731,500 | 75,000 | |
| Fleming Tennis | 2 | 455,500 | 125,000 | |
| Hyde | 2 | 118,800 | | |
| Jones Pool | 2 | 33,000 | | |
| Carrie J. Mays | 2 | 365,000 | | |
| W. T. Johnson | 2 | 520,000 | 75,000 | |
| Bayvale | 3 | 83,000 | | |
| Hickman | 3 | 118,800 | 30,000 | |
| Soccer Complex | 3 | 840,000 | 300,000 | |
| Sue Reynolds | 3 | 1,615,000 | 200,000 | |
| Tanglewood | 3 | 145,200 | | |
| | 3 | 44,000 | | |

Exhibit D-3.2

CIP

Option A

[illegible]

NOTICE OF CALL FOR SPECIAL ELECTION
TO THE QUALIFIED VOTERS WITHIN RICHMOND COUNTY, GEORGIA
TO CONSIDER THE IMPOSITION OF
SPECIAL COUNTY 1 PERCENT SALES AND USE TAX

NOTICE is hereby given pursuant to a resolution adopted by the Commission of Augusta-Richmond County adopted on September 6, 2005, that on the 8th day of November, 2005, an election will be held in all of the election districts of Richmond County, Georgia (the "County") at which time there will be submitted to the qualified voters within the County for their determination, the following question:

BALLOT QUESTION

() YES

() NO

Shall a special 1 percent sales and use tax be imposed in the special district of Richmond County for the raising of not more than \$160,000,000 for the purpose of constructing under authority of a certain Resolution of the Augusta Commission adopted September 6, 2005 the following: (a) Capital outlay projects for PUBLIC FACILITIES for the use and benefit of the citizens of the entire county consisting of a county courthouse/judicial center, administrative buildings, county library, county jail, exhibit hall, which shall include new construction and improvements to existing county buildings and facilities, and appurtenant capital outlays as is defined in O.C.G.A. 48-8-110, Augusta Canal bond repayment and debt service; (b) Capital outlay projects for PUBLIC INFRASTRUCTURE AND EQUIPMENT including, but not be limited to information technology equipment acquisition, flood land acquisition, road, street, bridge or drainage improvements for the use of or benefit of the citizens of Richmond County; (c) Capital outlay projects TO IMPROVE THE QUALITY OF LIFE in Augusta-Richmond County consisting of recreational facilities; (d) Capital outlay projects to be owned or operated by the City of Hephzibah in respect to which Hephzibah, the City of Blythe and Augusta, Georgia entered into an INTER-GOVERNMENTAL AGREEMENT on September 6, 2005, as authorized in Article IX, Section III, of the Constitution of the State of Georgia for the construction of eligible expenditure projects as the same are set forth in said inter-governmental agreement; and (e) Capital outlay projects to be owned or operated by the City of Blythe in respect to which Blythe, the city of Hephzibah and Augusta, Georgia entered into an INTER-GOVERNMENTAL AGREEMENT on September 6, 2005, as authorized in Article IX, Section III, of the Constitution of the State of Georgia for the construction of eligible

expenditure projects as the same are set forth in said inter-governmental agreement; and if imposition of the tax is approved by the voters, such vote shall also constitute approval of the issuance of general obligation debt of Augusta-Richmond County in the principal amount of \$44,000,000 for public facilities?

Voters desiring to vote for the imposition of the special 1 percent sales and use tax (the "Tax") for the purposes set forth in said Question shall do so by voting "YES" and voters desiring to vote against the imposition of the Tax for the purposes set forth in said Question shall do so by voting "NO". If the voters approve the imposition of the Tax in accordance with this paragraph, then the Tax shall be imposed for the purposes stated in the questions(s) so approved beginning April 1, 2006. Otherwise, the Tax shall not be imposed and the question of imposing the Tax will not again be submitted to the voters of Richmond County, Georgia until after 12 months immediately following the month in which the election is to be held.

The purposes for which the proceeds of the Tax are to be used will include the acquisition, construction and equipping of the following:

A. Capital outlay projects for PUBLIC FACILITIES for the use and benefit of the citizens of the entire county consisting of a county courthouse/judicial center, administrative buildings, county library, county jail, exhibit hall, which shall include new construction and improvements to existing county buildings and facilities, and appurtenant capital outlays as is defined in O.C.G.A. 48-8-110, Augusta Canal bond repayment and debt service;

B. Capital outlay projects for PUBLIC INFRASTRUCTURE AND EQUIPMENT including, but not be limited to information technology equipment acquisition, flood land acquisition, road, street, bridge or drainage improvements for the use of or benefit of the citizens of Richmond County;

C. Capital outlay projects TO IMPROVE THE QUALITY OF LIFE in Augusta-Richmond County consisting of recreational facilities;

D. Capital outlay projects to be owned or operated by the City of Hephzibah in respect to which Hephzibah, the City of Blythe and Augusta, Georgia entered into an INTER-GOVERNMENTAL AGREEMENT on September 6, 2005, as authorized in Article IX, Section III, of the Constitution of the State of Georgia for the construction of eligible expenditure projects as the same are set forth in said inter-governmental agreement; and

E. Capital outlay projects to be owned or operated by the City of Blythe in respect to which Blythe, the city of Hephzibah and Augusta, Georgia entered into an INTER-GOVERNMENTAL AGREEMENT on September 6, 2005, as authorized in Article IX, Section III, of the Constitution of the State of Georgia for the construction of

eligible expenditure projects as the same are set forth in said inter-governmental agreement.

If the qualified voters of Augusta, Georgia approve said BALLOT QUESTION such vote shall constitute approval of the issuance of general obligation debt of Augusta-Richmond County in the principal amount of \$44,000,000 for the purposes set forth in the BALLOT QUESTION.

Such debt, if authorized, shall be dated not later than the issuance and delivery thereof, bearing interest from date at a rate or rates not exceeding four percent (4.00%) per annum, and the principal maturing in the following years in an amount not to exceed the amounts set forth in the following table:

| <u>YEAR</u> | <u>AMOUNT</u> |
|-------------|----------------|
| 2007 | \$8,125,000.00 |
| 2008 | \$8,450,000.00 |
| 2009 | \$8,785,000.00 |
| 2010 | \$9,135,000.00 |
| 2011 | \$9,505,000.00 |

The specific projects within these categories of purposes set forth in said BALLOT QUESTION are set forth on a capital project list adopted in final form by the Augusta-Richmond County Commission on September 6, 2005 (the "List"). The estimated maximum costs set forth above are based on the estimated costs set forth in the List. The total amount of proceeds of the Tax to be spent on the projects in each of the categories of purposes set forth above shall be in the total amounts specified for each such category. However, use of Tax proceeds to pay costs of projects within a category may be shifted between projects within that category as needs dictate and as the Augusta-Richmond County Commission in its discretion shall determine. If not all of the Tax proceeds allocated to a particular category are expended for the completion of projects in that category, such surplus funds may be transferred for use on projects in one or more of the other categories as the Augusta-Richmond County Commission in its discretion shall determine. It is expressly provided, however, that the net proceeds of the Tax received in any year shall not be used for any purpose until all debt service requirements of the general obligation debt for that year has been first satisfied from the account in which the proceeds of the Tax are placed.

The projects as proposed are to be built over a period of time extending for approximately five (5) years. Conditions may change making a proposed project no longer feasible or increasing the cost thereof to an amount exceeding the funds available, in any such event, the Augusta-Richmond County Commission may change the size, scope and/or site of such project to make the project one which is feasible and the costs of which are within the funds available or eliminate the project and transfer the funds

allocated thereto to other projects within the same category of projects if funds are needed for the remaining projects within such category and if not, to projects in one or more of the other categories.

The several places for holding said election shall be the regular and established election districts within the County, and the polls shall be open from 7:00 o'clock A.M. to 7:00 o'clock P.M. on said date fixed for the election.

Those residents within the County qualified to vote in said election shall be determined in all respects in accordance with the election laws of the State of Georgia. Anyone desiring to vote in said referendum who is not a qualified voter of said County must register no later than October 11, 2005, at any of the approved voter registration sites in Richmond County, Georgia in order to be eligible to vote. Inquiries regarding voter registration may be directed to the Board of Elections Office, Room 104, City-County Building, Augusta, Georgia, or by calling (706) 821-2340.

This notice is given pursuant to a resolution of the Augusta-Richmond County Commission, adopted on September 6, 2005, and a call of election by the Board of Elections of Richmond County, Georgia.

This 6th day of September 6, 2005, as part of the meeting recessed from August 31, 2005 and recessed from September 2, 2005.

EXECUTIVE DIRECTOR OF THE
BOARD OF ELECTIONS OF
RICHMOND
COUNTY, GEORGIA

By: 
Lynn Bailey